

Martha G. Bronitsky
Chapter 13 Standing Trustee
United States Bankruptcy Court

22320 Foothill Blvd #150, Hayward, CA 94541
Mail to: P.O. Box 5004, Hayward, CA 94540-5004
Debtor Chapter 13 Plan Payments to: P.O. Box 88007, Chicago, IL 60680-1007
Telephone: (510) 266-5580
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October 22, 2015

Nathan D Borris Atty
21550 Foothill Blvd 2Nd Fl
Hayward, CA 94541

Chapter 13 Case No.: 15-43184-RLE13
Re: Emmanuel Dadzie
Grace Dadzie

In our initial review of your client's case, the trustee requests clarification of the listed items on the attached forms.

Although a complete review of this case has not taken place and there may be other inconsistencies that may need to be addressed at the 341 meeting, it is necessary to advise you of the situation.

The requested items **must** be received five (5) days prior to the 341 meeting of creditors. Failure to provide the requested information may result in the recommendation by the trustee that this case be dismissed or converted to a Chapter 7.

If you have any question concerning this matter, please do not hesitate to contact the Legal Department.

Sincerely,

/s/ Martha G. Bronitsky
Martha G. Bronitsky
Chapter 13 Standing Trustee

CASE #15-43184 RLE / DADZIE

RLE - Susie Valdivia at svaldivia@oak13.com

CN - Rammet Munoz at rmunoz@oak13.com

WJL - Veronica Valdez at vvaldez@oak13.com

DEBTOR'S PLAN – CASES FILED ON OR AFTER 8/1/13

AMENDED PLAN AND/OR BELOW DOCUMENTS TO BE FILED WITH BANKRUPTCY COURT FOR THE FOLLOWING REASONS:

- ☐ Standard Oakland Division Chapter 13 plan to be filed with court. (Version 8/1/13 – see attached)
- ☐ Please serve the plan on all creditors with 28 days notice and opportunity to object on all creditors or 21 days' notice and opportunity to object, if plan was previously served and amendment is being filed that effects the creditors.
[Attached is a standard notice and certificate of service. Please include your creditors in the certificate of service and mail a copy of the notice, certificate of service and the plan to each creditor and file the notice and certificate of service with the bankruptcy court]
- ☒ Section 1.01a: The following language was removed from the plan and will need to be added back:
 - (describe, such as wages, rental income, etc.): _____. Debtor shall after __ months, increase the monthly payment to \$___ for __ months
- ☐ Section 1.01a missing source of plan payment/step up payment
- ☐ Section 1.01b missing source and/or date of lump sum payment
- ☐ Section 1.01c missing plan term and/or term does not match 1.01a
- ☐ Section 2.03 missing:
- ☐ Section 2.04: arrears start date needs to be listed in month/year format
- ☐ Section 2.05 – “reduction in value” requires Motion to value Collateral to be filed and ordered prior to confirmation of plan - Please serve with 21 days' notice and opportunity to object.
Needed for the following creditors:
- ☐ Section 2.10 missing priority creditors from schedule E
- ☐ No selection on section 2.12
____ Percent plan or Pot Plan must be selected
____ Estimated percentage must be reflected under “Pot Plan”
- ☐ Section 5:
____ Select if additional provisions are or are not appended to plan
____ Remove additional provision since creditor is already provided for in section
- ☐ No time frame for sale/refinance of property and/or time frame too long in section 1.01(b).
- ☐ Per Trustee's plan calculations;
____ Plan exceeds sixty (60)/thirty six (36) months, Needs \$
____ Monthly payments on attorney's fees & arrears overlap.
____ No monthly payment provided for

MISC DOCUMENTS

- ☐ Copy of most recent filed IRS tax return to trustee's office 7 days before 341.
Send 1st two pages of 1040 & schedule C (if applies) with all SSN's redacted including dependents' names and SSN's (if applies).
- ☐ Payment advices/paystubs (60 days prior to filing) to be provided to trustee's office 7 days before 341. If debtor does not receive payment advices/paystubs, Payment Advice Coversheet should be provided with corresponding box selected.

NOTE: PLEASE DO NOT FILE TAXES OR PAYMENT ADVICES WITH COURT.
THEY ARE TO BE SENT IN THE FOLLOWING FORMATS:

- Via mail – PO BOX 5004 Hayward CA 94540
 - Drop off – 22320 Foothill Blvd #150 Hayward, CA 94541
 - FTP site
 - Encrypted file via email 13TRUSTEE@OAK13.COM only if properly encrypted, with the proper access information provided to the Trustee's office. Taxes and payment advices must be attached as separate PDF attachments. If the email is not encrypted they will not be received.
- ☐ Certificate of credit counseling and/or declaration of exigent circumstances re: credit counseling to be filed.

MEANS TEST

- ☒ A fixed 100% plan is needed to pay in disposable monthly income of \$171,900
- ☐ Per means test, commitment period of 60 months is needed for plan.
- ☐ Business expenses need to be moved from form B22C-1, line 5 to form B22C-2, line 43.
- ☐ Deduction on # needs a supporting declaration.
- ☐ Deduction on # does not match the current expenses of the debtor, per the schedule J.
- ☐ Incorrect information on means test Line#
- ☐ Declaration is necessary to explain the difference between the Means Test Income of \$_____ and the Schedule I income of \$ _____.

MORTGAGE MODIFICATION MEDIATION (MMM):

- ☒ Motion for referral of case to the MMM program needs to be filed and ordered

OTHER:

- ☐ Motion to dismiss: